

1 Plaintiff Continental Insurance Company (“Plaintiff”), and defendant Transatlantic
 2 Reinsurance Company (“Defendant”) (collectively, the “Parties”), by their attorneys, hereby
 3 respectfully request this Court for an order extending the time for completion of discovery in the
 4 above-captioned case. In support of this joint motion, the Parties state as follows:

5 1. On October 24, 2005, the Parties submitted a mutually agreed-upon discovery
 6 schedule to this Court as part of their last Joint Case Management Statement. The Statement
 7 provided that this schedule could be modified by agreement of the parties.

8 2. The Parties then discussed the discovery schedule with this Court during the
 9 last Case Management conference on October 31, 2005.

10 3. Since the last Case Management conference, Plaintiff has taken four
 11 depositions and the Parties have scheduled an additional three depositions.

12 4. It has taken longer than the Parties initially anticipated to schedule some of
 13 the depositions in this case. The witnesses in question, some of whom are no longer employed by
 14 either of the Parties, sometimes need significant notice to be able to clear a full day for a deposition,
 15 much less additional time for deposition preparation.

16 5. Some of the later stages in the discovery process, such as the preparation of
 17 expert reports, cannot be completed until certain depositions are conducted.

18 6. Accordingly, the Parties have agreed to the following revised discovery
 19 schedule, which amends the former discovery schedule by moving discovery dates back and by
 20 adding a deadline for expert rebuttal. Dates in this discovery schedule can be altered only by
 21 agreement of the parties, or upon motion to this Court:

23 Disclosure of Plaintiff’s experts and expert reports; deadline for parties 24 to disclose potential fact witnesses in case	May 5, 2006
25 Deadline for deposition of Plaintiff’s experts	June 2, 2006
26 Disclosure of Defendant’s experts and expert reports	June 16, 2006
27 Deadline for deposition of Defendant’s experts	July 14, 2006

Deadline for disclosure of the Parties' expert rebuttal reports	August 4, 2006
Close of fact discovery; dispositive motions due	Sept. 1, 2006
Responses to dispositive motions due	Sept. 22, 2006
Replies in support of dispositive motions due	Oct. 16, 2006

CONCLUSION

For the reasons given above, the Parties respectfully request this Court for an order adopting the above schedule for discovery in this case.

Dated: January 31, 2006

SIDLEY AUSTIN LLP

By: /s/ James C. Blenko

James C. Blenko
Attorneys For Plaintiff Continental
Insurance Company

Dated: January 31, 2006

LORD BISSELL & BROOK LLP

By: /s/ Kimberly M. Hamm

Kimberly M. Hamm
Attorneys For Defendant
Transatlantic Reinsurance Company

111 S. Wacker Drive
Chicago, IL 60606
Telephone (312) 443-0700

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2 **PROPOSED ORDER**
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4 The Parties' JOINT MOTION FOR EXTENSION OF TIME TO COMPLETE
5 DISCOVERY having been read and considered by this Court, it is hereby ordered that the time for
6 completion of discovery in this case shall be extended in accordance with the schedule in the Parties'
7 Joint Motion.
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9 DATED: 01/31/06
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